

# **City of Carmel**

## **Common Council**

### **Special Meeting**

**August 31, 2006  
6:00 P.M.**

**COMMON COUNCIL**  
**SPECIAL MEETING AGENDA**  
**THURSDAY, AUGUST 31, 2006 – 6:00 P.M.**  
**COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE**

**MEETING CALLED TO ORDER**

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS
4. APPROVAL OF MINUTES
  - a. August 21, 2006 Regular Meeting
5. RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL
6. COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS
7. ACTION ON MAYORAL VETOES
8. CLAIMS
  - Payroll
  - General Claims
  - Retirement
9. COMMITTEE REPORTS
  - a. Finance, Administration and Rules Committee
  - b. Land Use, Annexation and Economic Development Committee
  - c. Parks, Recreation and Arts Committee
  - d. Utilities, Transportation and Public Safety Committee

10. **OLD BUSINESS**

11. **PUBLIC HEARINGS**

- a. **Second Reading of Ordinance D-1820-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Vacating a Portion of Public Right-Of-Way (Rangeline Road and City Center Drive, Parcel #5); Sponsor: Councilor Carter.
- b. **First Reading of Ordinance D-1828-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Appropriations for the 2007 Budget (\$70,498,879); Sponsor: Councilor Sharp.

12. **NEW BUSINESS**

- a. **First Reading of Ordinance D-1822-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 4, Article 1, Division III, Section 4-26(c)(1) of the Carmel City Code (Door-To-Door Vendors); Sponsor: Councilor Glaser.
- b. **First Reading of Ordinance D-1823-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Fixing Salaries of Appointed Officers and Employees of the City of Carmel, Indiana, for the Year 2007; Sponsor: Councilor Sharp.
- c. **First Reading of Ordinance D-1826-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Fixing the Salaries of Appointed Officers and Employees of the Clerk-Treasurer, City of Carmel, Indiana, for the Year 2007; Sponsor: Councilor Glaser.
- d. **First Reading of Ordinance D-1827-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Fixing Salaries of Appointed Officers and Employees of the Carmel City Court for the Year 2007; Sponsor: Councilor Glaser.
- e. **Resolution CC-08-31-06-01**; A Resolution of the Common Council of the City of Carmel, Indiana, to set The 2007 General Fund Tax Levy and Rate; Sponsor: Councilor Sharp.
- f. **Resolution CC-08-31-06-03**; A Resolution of the Common Council of the City of Carmel, Indiana, Determining that no TIF (Tax Increment Financing) Tax shall be levied Pursuant to Indiana Code 6-1.1-21.2-12 for Calendar Year 2007; Sponsor: Councilor Sharp.

13. **OTHER BUSINESS**

- a. **Second Reading of Ordinance D-1782-05**; An Ordinance of the Common Council of the City of Carmel, Indiana to Vacate a Segment of Right-Of-Way for River Road; Sponsor: Councilor Glaser. TABLED 12/19/05

14. **ANNOUNCEMENTS**
15. **EXECUTION OF DOCUMENTS**
16. **ADJOURNMENT**

# COMMON COUNCIL MEETING MINUTES

MONDAY, AUGUST 21, 2006 – 6:00 P.M.  
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

## **MEMBERS PRESENT:**

Mayor James Brainard, Council President Richard L. Sharp, Council Members, Kevin Kirby, Brian D. Mayo, Joseph C. Griffiths, Fredrick J. Glaser, Ronald E. Carter, Mark Rattermann, Clerk-Treasurer Diana L. Cordray and Deputy Clerk-Treasurer Lois Fine.

Mayor Brainard called the meeting to order at 6:00 p.m.

Pastor Al Goertemiller, Pilgrim Lutheran Church, pronounced the Invocation.

Mayor Brainard led the pledge of allegiance.

## **RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:**

There were none.

## **APPROVAL OF MINUTES:**

Councilor Mayo made a motion to approve the Minutes of the August 7, 2006 Regular Meeting. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The Minutes were approved 7-0.

## **RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:**

The following individuals spoke in opposition to Ordinance Z-493-06 (Gramercy):

Henry Winkler	411 Jenny Lane, Carmel, IN
Bob Battreall (attachment 1)	1319 Cook Creek Drive, Carmel, IN
John Sullivan (attachment 2)	862 Enclave Circle, Carmel, IN
Angie Molt	740 W. Auman Drive, Carmel, IN
Phil Squire (attachment 3)	1315 Lawrence Road, Carmel, IN
Nyla Johnson	317 Concord Lane, Carmel, IN
Karen Carter (attachment 4)	918 E. Auman Drive, Carmel, IN
Fiona O'Connor	1330 Fairbanks Drive, Carmel, IN
Eric Seidensticker	612 Ash Drive, Carmel, IN
Pat Truelove (attachment 5)	730 W. Auman Drive, Carmel, IN
Hilary Woodcock	506 Ash Drive, Carmel, IN
Bruce Braden (attachment 6)	915 Oswego Road, Carmel, IN
Dr. Robert Hartman	581 Melark Drive, Carmel, IN
Curt Waters	724 E. Auman Drive, Carmel, IN
Mary Lou Waters (attachment 7)	724 E. Auman Drive, Carmel, IN

Marilyn Mesh (attachment 8)	10918 Timber Lane, Carmel, IN
Jennifer Kost Barker	819 W. Auman Drive, Carmel, IN
Barry Reynolds	132 Ute Drive, Carmel, IN
David Springer	603 Kinzer Avenue, Carmel, IN
Susan McBeath	584 Melark Drive, Carmel, IN
David Allen	1410 Lawrence Road, Carmel, IN
Doran Ellis (attachment 9)	924 W. Auman Drive, Carmel, IN
Elizabeth Grossman	11201 Westfield Blvd., Carmel, IN

The following individuals spoke in favor of Ordinance Z-493-06 (Gramercy)

Tom Megenhardt	11938 Eastwich Circle, Carmel, IN
Dick Teeters (attachment 10)	559 Hunters Drive East, Carmel, IN

The following individuals spoke in opposition to Ordinance Z-495-06 (Aramore)

Marilyn Knight	10111 Hillsdale Drive, Carmel, IN
Pat Franz	9990 Holiday Drive, Carmel, IN

**COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:**

There were none.

**ACTION ON MAYORAL VETOES:**

There were none.

**CLAIMS:**

Councilor Mayo made a motion to approve the claims in the amount of \$1,889,882.45. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The claims were approved 7-0.

**COMMITTEE REPORTS:**

Councilor Rattermann reported that the Finance, Administration and Rules Committee met on Thursday, August 17, 2006 and discussed Ordinance D-1814-06, Ordinance D-1818-06 and Ordinance D-1819-06. Councilor Rattermann will give his report when the items come up on the agenda.

Councilor Glaser reported that the Land Use, Annexation and Economic Development Committee met on Thursday, August 10, 2006 and discussed Ordinance Z-493-06, Ordinance Z-494-06 and Ordinance Z-495-06. Councilor Glaser will give his report when the items come up on the agenda.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met. The next meeting will be held on Tuesday, September 12, 2006 at 3:00 p.m.

Councilor Kirby reported that the Utilities, Transportation and Public Safety Committee met on Monday, August 14, 2006 and discussed Ordinance D-1817-06, Ordinance D-1820-06 and Ordinance D-1821-06 which were all sent with a favorable recommendation to the full Council

## **OLD BUSINESS**

Council President Sharp announced the **Second Reading of Ordinance D-1814-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Supplementing and Amending Ordinance No. D-1735-04, Adopted by the Common Council on December 20, 2004, Authorizing the Issuance of Waterworks Revenue Bonds, and the Issuance of Bond Anticipation Notes for the Purpose of Financing the Construction of Additions and Improvements to the Carmel Waterworks (\$35,000,000). Councilor Rattermann reported that this item was sent with a 2-0 favorable recommendation to the full Council from the Finance committee. Councilor Mayo made a motion to approve Ordinance D-1814-06. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1814-06** was adopted 7-0.

Council President Sharp announced the **Second Reading of Ordinance D-1817-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Adopting and Adding Chapter 8, Article 5, Section 8-47(a)(29) to the Carmel City Code (No Parking Area). Councilor Carter offered an amended version to the Council. In the title of the ordinance, delete (a)(29) after Section 8-47, add *Subsections 8-47(a)(29) and (30)* after Section 8-47, under Section 2, change (29) to read: *On either side of 1<sup>st</sup> Street N.W. from the Monon Greenway west to 3<sup>rd</sup> Avenue N.W., add (30) On the north side of 1<sup>st</sup> Street N.W. from the Monon Greenway east to Range Line Road.* Councilor Kirby seconded. There was brief Council discussion. Council President Sharp called for the question. The motion to approve the amended version was approved 7-0. Councilor Mayo made a motion to approve Ordinance D-1817-06, As Amended. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1817-06, As Amended** was adopted 7-0.

Council President Sharp announced the **Second Reading of Ordinance D-1818-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing Meal Expense Advances, Adding Chapter 2, Article 3, Division III, Section 2-64 to the Carmel City Code (Meal Expense Advances). Councilor Rattermann reported that this item was sent with a 2-0 favorable recommendation to the full Council from the Finance committee. There was no Council discussion. Councilor Kirby left the chamber. Councilor Mayo made a motion to approve Ordinance D-1818-06. Councilor Glaser seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1818-06** was adopted 6-0.

Councilor Kirby returned to the chamber.

Council President Sharp announced the **Second Reading of Ordinance D-1819-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 2, Article 3, Division III, Section 2-61 of the Carmel City Code (Reimbursement Policy for Travel and Related Expenses). Councilor Rattermann offered amended VERSION A - 8/18/06 to the Council. The amendment was to add to Non-reimbursable Expenses (e) *(11) Travel life insurance policies*. Councilor Glaser seconded. There was brief Council discussion. Council President Sharp called for the question. The motion to accept

1 amended VERSION A - 8/18/06 was approved 7-0. Councilor Mayo made a motion to approve  
2 Ordinance D-1819-06, As Amended. Councilor Griffiths seconded. There was no Council discussion.  
3 Council President Sharp called for the question. **Ordinance D-1819-06, As Amended,**  
4 VERSION A - 8/18/06, was adopted 7-0.  
5

6 Council President Sharp announced the **Third Reading of Ordinance Z-493-06**; An Ordinance of the  
7 Common Council of the City of Carmel, Indiana, Establishing the Gramercy Planned Unit Development  
8 District. Councilor Glaser reported that this item was sent with a vote of 2-2 from the Land Use  
9 committee to the full Council. Council President Sharp referred to David Leazenby, Buckingham  
10 Companies, 333 N. Pennsylvania Street, 10<sup>th</sup> Floor, Indianapolis, IN 46204 who presented legal  
11 commitments to the Council. There was extensive Council discussion. Jim Shinaver, Attorney, Nelson &  
12 Frankenberger, 3105 E. 98<sup>th</sup> Street, Suite 170, Indianapolis, IN addressed the Council. Councilor Kirby  
13 made a motion to approve Ordinance Z-493-06. Councilor Griffiths seconded. Council President Sharp  
14 called for the question. **Ordinance Z-493-06** was adopted 5-2 (Councilors Glaser and Rattermann  
15 opposed).  
16

17 Council President Sharp called a five minute recess.  
18

19 Council President Sharp announced the **Second Reading of Ordinance Z-494-06**; An Ordinance of the  
20 Common Council of the City of Carmel, Indiana, Rezoning of Brunson & Company, LLC Real Estate  
21 from R-3 (Residential) to B-5 (Business) Zoning Classification (1003 E. 106<sup>th</sup> Street, Indianapolis, IN  
22 46280). Councilor Glaser reported to Council that this item was sent with a 4-0 favorable  
23 recommendation from the Land Use committee to the full Council. Councilor Kirby made a motion to  
24 approve Ordinance Z-494-06. Councilor Griffiths seconded. There was no Council discussion. Council  
25 President Sharp called for the question. **Ordinance Z-494-06** was adopted 7-0.  
26

27 Council President Sharp announced the **Third Reading of Ordinance Z-495-06**; An Ordinance of the  
28 Common Council of the City of Carmel, Indiana, Establishing the Aramore Planned Unit Development  
29 District. Councilor Glaser reported to Council that this item was sent with a 3-0 favorable  
30 recommendation from the Land Use committee to the full Council. Steve Pittman, Pittman Partners,  
31 presented legal commitments to the Council. Councilor Kirby made a motion to approve the legal  
32 commitments pending Mr. Pittman's recording of the document. Councilor Griffiths seconded. There  
33 was brief Council discussion. Doug Haney, City Attorney, addressed Council for clarification of  
34 Councilor Kirby's motion. There was brief Council discussion. Councilor Kirby changed his motion to  
35 be contingent upon Mr. Pittman recordation of the commitments. Council President Sharp called for the  
36 question. **Ordinance Z-495-06** was adopted 7-0.  
37

## 38 PUBLIC HEARINGS

39  
40 **Second Reading of Ordinance D-1820-06**; An Ordinance of the Common Council of the City of Carmel,  
41 Indiana, Vacating a Portion of Public Right-Of-Way (Rangeline Road and City Center Drive, Parcel #5);  
42 Sponsor: Councilor Carter. This item was not discussed.  
43

44 Council President Sharp announced the **Second Reading of Ordinance D-1821-06**; An Ordinance of the  
45 Common Council of the City of Carmel, Indiana, Vacating a Portion of Public Right-Of-Way (Rangeline  
46 Road and Main Street, Parcel #12). Council President Sharp opened the Public Hearing at 8:52 p.m.  
47  
48  
49

1 Seeing no one who wished to speak, Council President Sharp closed the Public Hearing at 8:52:30 p.m.  
2 Councilor Carter made a motion to approve Ordinance D-1821-06. Councilor Griffiths seconded. There  
3 was no Council discussion. Council President Sharp called for the question.  
4 **Ordinance D-1821-06** was adopted 7-0.

## 5 6 **NEW BUSINESS**

7  
8 Council President Sharp announced the **First Reading of Ordinance D-1824-06**; An Ordinance of the  
9 Common Council of the City of Carmel, Indiana, Amending Chapter 8, Article 9, Section 8-120 of the  
10 Carmel City Code, Establishing Certain Stop and Yield Signs. Councilor Mayo made a motion to move  
11 this item into business. Councilor Griffiths seconded. Council President Sharp passed the gavel to  
12 Councilor Glaser to present this item to Council. Councilor Kirby made a motion to suspend the rules and  
13 not send this item to committee and vote this evening. Councilor Griffiths seconded. Councilor Glaser  
14 called for the question. The motion was approved 7-0. There was no Council discussion. Councilor  
15 Sharp made a motion to approve Ordinance D-1824-06. Councilor Griffiths seconded. Councilor Glaser  
16 called for the question. **Ordinance D-1824-06** was adopted 7-0.

17  
18 Council President Sharp reclaimed the gavel from Councilor Glaser.

19  
20 Council President Sharp announced the **First Reading of Ordinance D-1825-06**; An Ordinance of the  
21 Common Council of the City of Carmel, Indiana, Adopting and Adding Chapter 8, Article 5, Section 8-49  
22 of the Carmel City Code (Thirty Minute Parking). Councilor Carter made a motion to move this item into  
23 business. Councilor Griffiths seconded. Councilor Carter presented this item to Council. Councilor  
24 Kirby made a motion to suspend the rules and not send this item to committee and vote this evening.  
25 Councilor Griffiths seconded. There was brief Council discussion. Council President Sharp called for the  
26 question on the motion. The motion was approved 7-0. Councilor Kirby made a motion to approve  
27 Ordinance D-1825-06. Councilor Mayo seconded. There was no Council discussion. Council President  
28 Sharp called for the question. **Ordinance D-1825-06** was adopted 7-0.

29  
30 Council President Sharp announced **Resolution CC-08-21-06-02**; A Resolution of the Common Council  
31 of the City of Carmel, Indiana, Designating Block Seven in the Carmel Science & Technology Park as an  
32 Economic Revitalization Area (Midwest Independent Transmission System Operator). Councilor Carter  
33 made a motion to move this item into business. Councilor Mayo approved. Council President Sharp  
34 referred to Larry Gigerich, Ginovus, 8888 Keystone Crossing, Suite 1450, Indianapolis, IN for a  
35 presentation to Council. There was brief Council discussion. Councilor Mayo made a motion to approve  
36 Resolution CC-08-21-06-02. Councilor Griffiths seconded. Council President Sharp called for the  
37 question. **Resolution CC-08-21-06-02** was adopted 7-0.

## 38 39 **OTHER BUSINESS**

40  
41 **Second Reading of Ordinance D-1782-05**; An Ordinance of the Common Council of the City of Carmel,  
42 Indiana to Vacate a Segment of Right-Of-Way for River Road; Sponsor: Councilor Glaser. TABLED  
43 12/19/05. This item was not discussed.

## 44 45 **ANNOUNCEMENTS**

46  
47 There were none.  
48  
49

1     **EXECUTION OF DOCUMENTS**

2  
3     Mayor Brainard adjourned the meeting at 9:00 p.m.

4  
5     **ADJOURNMENT**

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7  
8                                     Respectfully submitted,

9  
10  
11                                     \_\_\_\_\_  
12                                     Clerk-Treasurer Diana L. Cordray, IAMC

13  
14                                     Approved,

15  
16  
17                                     \_\_\_\_\_  
18                                     Mayor James Brainard

19  
20     ATTEST:

21  
22  
23                                     \_\_\_\_\_  
24                                     Clerk-Treasurer Diana L. Cordray, IAMC

**ORDINANCE D -1820-06**

**AN ORDINANCE OF THE COMMON COUNCIL  
OF THE CITY OF CARMEL, INDIANA  
VACATING A PORTION OF PUBLIC RIGHT-OF-WAY**

WHEREAS, Pedcor Office, LLC ("Petitioner"), has submitted a petition to the City of Carmel, Indiana, pursuant to Indiana Code §36-7-3-12(b) requesting the vacation of a portion of public way commonly known as the Rangeline Road and City Center Drive, which is located entirely within the corporate boundaries of the City of Carmel, Indiana (the "Proposed Ordinance"); and,

WHEREAS, in the manner prescribed by Indiana Code §36-7-3-12-(c), the Clerk-Treasurer of the City of Carmel, Indiana, gave notice of the Proposed Ordinance and of the time and place of the public hearing on the Proposed Ordinance; and

WHEREAS, a public hearing on the Proposed Ordinance was held by the Common Council of the City of Carmel, Indiana (the "Council"), the \_\_\_\_ day of \_\_\_\_\_, 2006, and following the presentation of evidence at said hearing, the Council now finds as follows:

- (a) Petitioner intends to develop the real estate abutting the public right-of-way to be vacated. The vacation of the portion of right-of-way at Rangeline Road and City Center Drive, more particularly described in the Petition attached hereto as Exhibit A, will facilitate the redevelopment of this parcel.
- (b) Petitioner is the sole owner of the real estate abutting the public right-of-way to be vacated.
- (c) The City of Carmel Board of Public Works and Safety recommended approval of the petition to vacate the portion of the public right-of-way of Rangeline Road and City Center Drive on July 5, 2006.
- (d) No evidence of probative value was presented at the public hearing held regarding the proposed vacation that was in opposition to same.
- (e) It has been demonstrated by a preponderance of the evidence that the vacation of a portion of this right-of-way is in the best interests of the public.
- (f) The portion of public right-of-way at Rangeline Road and City Center Drive, as identified hereinabove, should be vacated.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana, as follows:

1. Pursuant to Indiana Code §36-7-3-12, those portions of the rights-of-way commonly known as Rangeline Road and City Center Drive, as are

1 located in Carmel, Indiana and identified in this Ordinance, are hereby  
2 vacated as public right-of-way and title to such vacated right-of-way  
3 hereby reverts to, and is vested in, the owner of the real estate abutting  
4 said rights-of-way.

5 2. This Ordinance shall be in full force and effect from and after the date of its  
6 passage, signing by the Mayor and such publication as is required by law.

7 PASSED by the Common Council of the City of Carmel, Indiana, this \_\_\_\_ day of  
8 \_\_\_\_\_, 2006, by a vote of \_\_\_\_ ayes and \_\_\_\_\_ nays.

9  
10 **COMMON COUNCIL FOR THE CITY OF CARMEL**

11 \_\_\_\_\_  
12 James Brainard, Presiding Officer

\_\_\_\_\_   
Joseph C. Griffiths

13  
14 \_\_\_\_\_  
15 Richard L. Sharp, President Pro Tempore

\_\_\_\_\_   
Kevin Kirby

16  
17 \_\_\_\_\_  
18 Ronald E. Carter

\_\_\_\_\_   
Brian D. Mayo

19  
20 \_\_\_\_\_  
21 Frederick J. Glaser

\_\_\_\_\_   
Mark Rattermann

22  
23 ATTEST:

24  
25 \_\_\_\_\_  
26 Diana L. Cordray, IAMC, Clerk-Treasurer  
27

1 Presented by me to the Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_,  
2 2006 at \_\_\_\_\_ .m.  
3

4 \_\_\_\_\_  
5 Diana L. Cordray, IAMC, Clerk-Treasurer  
6

7 Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_,  
8 2006 at \_\_:\_\_ P.M.  
9

10 \_\_\_\_\_  
11 James Brainard, Mayor  
12

13 ATTEST:  
14  
15

16 \_\_\_\_\_  
17 Diana L. Cordray, IAMC, Clerk Treasurer  
18

19 This instrument prepared by:

20 Ron Brown, Esq.  
21 Pedcor Bancorp  
22 770 3<sup>rd</sup> Avenue SW  
23 Carmel, IN 46032  
24 (317) 705-7903  
25  
26  
27  
28

29 I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social  
30 Security number in this document, unless required by law.  
31

32 Ron Brown  
33

## EXHIBIT A

### **PETITION TO VACATE A PUBLIC WAY LOCATED ENTIRELY WITHIN THE CORPORATE BOUNDARIES OF CARMEL, INDIANA**

1. Pedcor Office, LLC, an Indiana limited liability company, ("Petitioner"), pursuant to Indiana Code §36-7-3-12, does hereby respectfully petition the Common Council of the City of Carmel, Indiana, for the vacation of the existing Public Way of Rangeline Road and City Center Drive located entirely within the corporate boundaries of Carmel, Indiana, as is particularly described below and in the exhibits attached hereto and made a part hereof.
2. The Public Way being vacated is more particularly described in Exhibit "A" hereto and depicted in Exhibit "B" hereto, which are incorporated herein by this reference.
3. In support of this petition, the Petitioner submits the following:

"The Petitioner submits this petition pursuant to Indiana Code §36-7-3-12 to respectfully request that the Common Council of the City of Carmel, Indiana vacate those portions of existing Public Right of Way described and depicted in Exhibits "A" and "B", respectively. The Petitioner makes this request to satisfy its obligations to the Carmel Redevelopment Commission ("CRC"), to develop the City Center development ("City Center Development") at the corners of Rangeline Road and City Center Dr. in the City of Carmel, Indiana.

The CRC and the Petitioner (as successor in interest to Pedcor Office, LLC<sup>1</sup>) entered into a certain Project Agreement ("Project Agreement") dated December 16, 2004, pursuant to which the Petitioner agreed to develop the City Center Development in collaboration with the CRC. Since the execution of the Project Agreement, the Petitioner and CRC have worked together to create plans and specifications ("CRC Approved-Plans") for the City Center Development that are consistent with the desires of the City of Carmel. The CRC Approved-Plans include construction of buildings in the areas of the Public Right of Way described above. The Petitioner respectfully requests that the Common Council of the City of Carmel, Indiana vacate the areas of Public Right of Way that are the subject of this petition. This will allow the Petitioner to commence construction of the approved-buildings within those areas of the Public Right of Way pursuant to the CRC Approved Plans."

4. The following are the names and addresses of the owners of land which abut the property proposed to be vacated:

Pedcor Office, LLC                      One Pedcor Square, 770 3<sup>rd</sup> Avenue S.W., Carmel, IN 46032

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<sup>1</sup> Petitioner will take assignment of Pedcor Office, LLC's obligations under the Project Agreement as permitted under the "consent to assignment provision" contained in the Master Project Agreement. The Master Project Agreement will amend and restate the Project Agreement in its entirety, and the Petitioner and CRC are scheduled to execute the Master Project Agreement within two weeks of the filing of this petition.

WHEREFORE, the Petitioner respectfully requests the vacation of the above described Public Way.

PEDCOR OFFICE, LLC

Signature

Printed Name

Date

State of Indiana )

)SS:

County of Hamilton )

Before me, a Notary Public in and for said County and State, personally appeared Ron Brown, and acknowledged the execution of the foregoing "Petition to Vacate a Public Way" as his/her voluntary act and deed.

WITNESS my hand and Notarial Seal this 26<sup>th</sup> day of June, 2006.

Notary Public

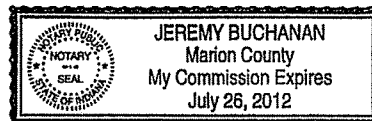
(Printed Signature)

My Commission Expires:

7-26-2012

My County of Residence:

Marion



Recommended for Approval to the Common Council of the City of Carmel, Indiana, this  
\_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

CITY OF CARMEL, INDIANA  
Board of Public Works and Safety

By:

\_\_\_\_\_  
James Brainard, Mayor

\_\_\_\_\_  
Lori Watson, Member

\_\_\_\_\_  
Mary Ann Burke, Member

Attest:

\_\_\_\_\_  
Diana Cordray, Clerk-Treasurer

Date: \_\_\_\_\_

## EXHIBIT "A"

### LAND DESCRIPTION

#### Encroachments 126<sup>th</sup> Street & Rangeline Road

A part of the Northeast Quarter of Section 36, Township 18 North, Range 3 East located in Clay Township, Hamilton County, Indiana being bounded as follows:

Commencing at the Northeast Corner of the Northeast Quarter of Section 36, Township 18 North, Range 3 East; thence South 89 degrees 12 minutes 13 seconds West (assumed bearing) 707.40 feet along the North Line of said Northeast Quarter to the northeastern corner of the 1.800 acre tract of land ("Monon Tract") described in the QUITCLAIM DEED recorded as instrument #9909923664 by the Recorder of Hamilton County, Indiana; thence South 00 degrees 51 minutes 54 seconds East 284.25 feet along the eastern boundary of said 1.800 acre tract of land to the southern right-of-way line of 126<sup>th</sup> Street (ref: see the 3.549 acre tract of land ("126<sup>th</sup> Street – Mueller East Tract") described in the CO-CONSERVATORS' DEED recorded as instrument #9909923663 by said Recorder), the following three (3) courses are along said southern right-of-way line of 126<sup>th</sup> Street; 1) thence North 77 degrees 00 minutes 25 seconds East 96.48 feet; 2) thence North 89 degrees 36 minutes 45 seconds East 167.49 feet; 3) thence South 89 degrees 56 minutes 58 seconds East 53.59 feet to the **POINT OF BEGINNING** of this description; thence North 00 degrees 00 minutes 00 seconds 10.48 feet; thence North 90 degrees 00 minutes 00 seconds East 65.71 feet; thence South 00 degrees 00 minutes 00 seconds 10.54 feet to a point on said southern right-of-way line of 126<sup>th</sup> Street (said point hereinafter referred to as "Point A"); thence North 89 degrees 56 minutes 58 seconds West 65.71 feet along said southern right-of-way line of 126<sup>th</sup> Street to the **POINT OF BEGINNING** containing 0.016 acres, more or less.

**ALSO** a part of the Northeast Quarter of Section 36, Township 18 North, Range 3 East located in Clay Township, Hamilton County, Indiana being bounded as follows:

Commencing at Point A on said southern right-of-way line of 126<sup>th</sup> Street; thence South 89 degrees 56 minutes 58 seconds East (assumed bearing) 54.33 feet along said southern right-of-way line of 126<sup>th</sup> Street to the **POINT OF BEGINNING** of this description; thence North 00 degrees 00 minutes 00 seconds 12.41 feet; thence North 90 degrees 00 minutes 00 seconds East 45.83 feet; thence South 00 degrees 00 minutes 00 seconds 2.00 feet; thence North 90 degrees 00 minutes 00 seconds East 39.83 feet; thence South 00 degrees 00 minutes 00 seconds 10.48 feet to a point on said southern right-of-way line of 126<sup>th</sup> Street (said point hereinafter referred to as "Point B"); thence North 89 degrees 56 minutes 58 seconds West 85.67 feet along said southern right-of-way line of 126<sup>th</sup> Street to the **POINT OF BEGINNING** containing 0.023 acres, more or less.

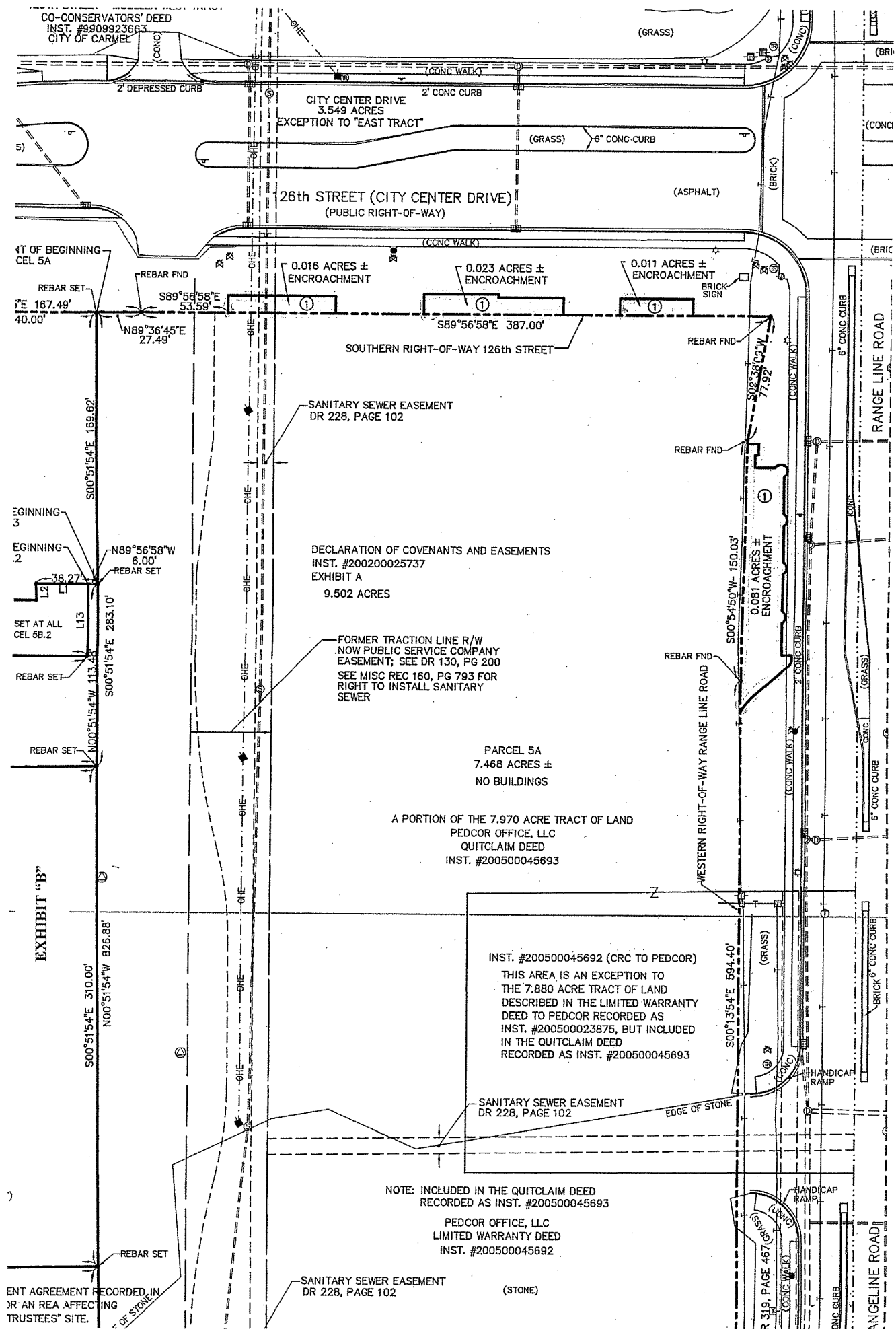
**ALSO** a part of the Northeast Quarter of Section 36, Township 18 North, Range 3 East located in Clay Township, Hamilton County, Indiana being bounded as follows:

Commencing at Point B on said southern right-of-way line of 126<sup>th</sup> Street; thence South 89 degrees 56 minutes 58 seconds East (assumed bearing) 34.63 feet along said southern right-of-way line of 126<sup>th</sup> Street to the **POINT OF BEGINNING** of this description; thence North 00 degrees 00 minutes 00 seconds 10.27 feet; thence North 90 degrees 00 minutes 00 seconds East 45.08 feet; thence South 00 degrees 00 minutes 00 seconds 10.31 feet to a point on said southern right-of-way line of 126<sup>th</sup> Street; thence North 89 degrees 56 minutes 58 seconds West 45.08 feet along said southern right-of-way line of 126<sup>th</sup> Street to the **POINT OF BEGINNING** containing 0.011 acres, more or less.

**ALSO** a part of the Northeast Quarter of Section 36, Township 18 North, Range 3 East located in Clay Township, Hamilton County, Indiana being bounded as follows:

Commencing at the Northeast Corner of the Northeast Quarter of Section 36, Township 18 North, Range 3 East; thence South 89 degrees 12 minutes 13 seconds West (assumed bearing) 707.40 feet along the North Line of said Northeast Quarter to the northeastern corner of the 1.800 acre tract of land ("Monon Tract") described in the QUITCLAIM DEED recorded as instrument #9909923664 by the Recorder of Hamilton County, Indiana; thence South 00 degrees 51 minutes 54 seconds East 284.25 feet along the eastern boundary of said 1.800 acre tract of land to the southern right-of-way line of 126<sup>th</sup> Street (ref: see the 3.549 acre tract of land ("126<sup>th</sup> Street - Mueller East Tract") described in the CO-CONSERVATORS' DEED recorded as instrument #9909923663 by said Recorder), the following three (3) courses are along said southern right-of-way line of 126<sup>th</sup> Street; 1) thence North 77 degrees 00 minutes 25 seconds East 96.48 feet; 2) thence North 89 degrees 36 minutes 45 seconds East 167.49 feet; 3) thence South 89 degrees 56 minutes 58 seconds East 387.00 feet along said southern right-of-way line to the western right-of-way line of Range Line Road (a part of said 3.549 acre tract of land); thence South 89 degrees 38 minutes 09 seconds West 77.92 feet along said western right-of-way line of Rangeline Road; thence South 00 degrees 54 minutes 50 seconds West 2.71 feet along said western right-of-way line of Rangeline Road to the **POINT OF BEGINNING** of this description; thence North 90 degrees 00 minutes 00 seconds 7.04 feet; thence South 00 degrees 03 minutes 26 seconds West 6.84 feet; thence North 89 degrees 56 minutes 34 seconds West 2.03 feet; thence South 00 degrees 03 minutes 26 seconds West 7.95 feet; thence North 90 degrees 00 minutes 00 seconds East 12.19 feet to a point on a non-tangent curve concave to the southwest, said point being North 59 degrees 40 minutes 02

seconds West 4.16 feet from the radius point of said curve; thence clockwise 15.21 feet along said curve to a point being South 30 degrees 19 minutes 33 seconds East 4.16 feet from the radius point of said curve; thence South 00 degrees 00 minutes 00 seconds 23.47 feet to a point on a non-tangent curve concave to the west, said point being North 30 degrees 09 minutes 16 seconds East 4.17 feet from the radius point of said curve; thence clockwise 8.70 feet along said curve to a point being South 30 degrees 09 minutes 16 seconds East 4.17 feet from the radius point of said curve; thence South 00 degrees 00 minutes 00 seconds 22.70 feet to a point on a non-tangent curve concave to the west, said point being North 30 degrees 24 minutes 13 seconds East 4.17 feet from the radius point of said curve; thence clockwise 8.68 feet along said curve to a point being South 30 degrees 24 minutes 13 seconds East 4.17 feet from the radius point of said curve; thence South 00 degrees 00 minutes 00 seconds 22.90 feet to a point on a non-tangent curve concave to the west, said point being North 30 degrees 10 minutes 36 seconds East 4.17 feet from the radius point of said curve; thence clockwise 8.70 feet along said curve to a point being South 30 degrees 10 minutes 36 seconds East 4.17 feet from the radius point of said curve; thence South 00 degrees 00 minutes 00 seconds 20.33 feet; thence South 90 degrees 00 minutes 00 seconds East 6.18 feet; thence South 00 degrees 00 minutes 00 seconds 1.83 feet to a point on a non-tangent curve concave to the northwest, said point being South 89 degrees 59 minutes 21 seconds East 7.46 feet from the radius point of said curve; thence southerly and southwesterly 4.36 feet along said curve to a point being South 56 degrees 29 minutes 20 seconds East 7.47 feet from the radius point of said curve; thence South 48 degrees 13 minutes 02 seconds West 32.14 feet to the point of curvature of a curve to the right, said point of curvature being North 41 degrees 46 minutes 58 seconds West 26.50 feet from the radius point of said curve; thence southwesterly 10.19 feet along said curve to a point on said western right-of-way line of Rangeline Road, said point being North 63 degrees 49 minutes 18 seconds West 26.50 feet from the radius point of said curve; thence North 00 degrees 13 minutes 54 seconds West 19.60 feet along said western right-of-way line of Rangeline Road; thence North 00 degrees 54 minutes 50 seconds East 147.32 feet along said western right-of-way line of Rangeline Road to the **POINT OF BEGINNING** containing 0.081 acres, more or less.



FORM APPROVED BY THE STATE BOARD OF ACCOUNTS

Be it Ordained by the County, City or Town or Fire Protection District of CARMEL, Indiana: That for the expenses of the County, City or Town government and its institutions for the year ending December 31, 2007 the sums of money shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition for the purpose of raising revenue to meet the necessary expenses of county, city or town government, tax rates are shown on Budget Form 4-B and included herein. Two (2) copies of Budget forms 4-A and 4-B for all funds and departments are made a part of the budget report and submitted herewith.

APPROVED BY

COUNTY COUNCIL

Presented to the County Council of \_\_\_\_\_ County, Indiana, and read in full for the first time this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Attest: \_\_\_\_\_ President County Council

County Auditor and/or Clerk of County Council

Presented to the County Council of \_\_\_\_\_ County, Indiana, and read in full for the second time this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Yea \_\_\_\_\_ Nay \_\_\_\_\_

COMMON COUNCIL

This ordinance shall be in full force and effect from and after its passage and approval by the Common Council and Mayor. Adopted by the following vote on \_\_\_\_\_, 2006.

Yea \_\_\_\_\_ Nay \_\_\_\_\_

Rick Sharp, Council President

Fred Glaser

Joe Griffiths

Ron Carter

Brian Mayo

Mark Ratterman

Kevin Kirby

Approved by the Mayor \_\_\_\_\_, 2006

Mayor \_\_\_\_\_

TOWN COUNCIL

This ordinance shall be in full force and effect from and after its passage and approval by the Town Council. Adopted by the following vote on \_\_\_\_\_, 20\_\_\_\_.

Yea \_\_\_\_\_ Nay \_\_\_\_\_

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Attest:

Town Clerk-Treasurer

Attest:

Clerk-Treasurer

Attest:

County Auditor and/or Clerk of County Council

# **CITY OF CARMEL**

## **2007 PROPOSED BUDGET**

### **General Fund**

Police Department	12,613,505	
Communications Center	2,209,100	
Fire Department	17,022,330	
Parks Department	2,323,152	
Board of Works	6,285,066	
Mayor's Office	1,891,030	
Law Department	599,960	
Community Services	2,505,501	
Human Resources	362,530	
Information Services	1,180,355	
General Administration	5,004,364	
Court	722,361	
Council	257,850	
Clerk-Treasurer's	715,191	
<b>Total</b>		<b>\$ 53,692,295</b>

**Ambulance Fund** **\$ 688,443**

**Parks Capital Fund** **\$ -**

### **Motor Vehicle Highway Fund**

Engineer's Office	1,863,525	
Street Department	7,459,957	
<b>Total</b>		<b>\$ 9,323,482</b>

<b>Local Road &amp; Street</b>	<b>\$ 650,000</b>
<b>Cum Cap Improvement</b>	<b>\$ 150,000</b>
<b>Cum Cap Sewer</b>	<b>\$ 950,000</b>
<b>Deferral Fund</b>	<b>\$ 82,195</b>
<b>User Fee/Cont Ed Fund</b>	<b>\$ 25,000</b>
<b>Lease Rental</b>	<b>\$ 828,000</b>
<b>2004 Road Bond Fund</b>	<b>\$ 2,754,000</b>
<b>Record Perpetuation Fund</b>	<b>\$ 10,000</b>
<b>Police Pension Fund</b>	<b>\$ 449,366</b>
<b>Fire Pension Fund</b>	<b>\$ 586,598</b>
<b>Law Enforcement Aid Fund</b>	<b>\$ 309,500</b>
<b>Total Proposed 2007 City of Carmel Budget</b>	<b>\$ 70,498,879</b>

# C6, The Noblesville Ledger, Friday, August 25, 2006

Legals	Legals	Legals	Legals	Legals
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**NOTICE TO TAXPAYERS OF BUDGET ESTIMATES AND TAX LEVIES**

Notice is hereby given the taxpayers of the City of CARMEL, Indiana, that the Common Council of CARMEL, Indiana, at 1 CIVIC SQUARE, CARMEL, on August 31, 2006 at 6 P.M. will conduct a public hearing on the budget. Following this meeting, any ten or more taxpayers may object to a budget, tax rate, or tax levy by filing an objection petition with the proper officers of the political subdivision within seven days after the hearing. The objection petition must identify the provisions of the budget, tax rate, or tax levy that taxpayers object to. If a petition is filed, the political subdivision shall adopt with its budget a finding concerning the objections filed and testimony presented. Following the aforementioned hearing, the Council will meet at 1 CIVIC SQUARE, CARMEL on September 18, 2006, at 6 P.M. to adopt the following budget:

Budget Form No. 3 (Rev. 2002)

Net Assessed Valuation \$5,632,110,240

**BUDGET ESTIMATE**

Complete detail of the budget estimates by fund and/or department may be seen at the Clerk-Treasurer's Office.

1 Fund Name	2 Budget Estimate	3 Maximum Established Funds to Be Raised (Including appeals and levies exempt from maximum levy limitations)	4 Excess Levy Appeals (included in column 3)	5 Current Tax Levy
GENERAL	60,000,000	40,000,000	10,000,000	19,977,391
LEASE RENTAL	828,000	1,000,000		974,355
MOTOR VEHICLE	12,000,000	7,000,000		5,936,244
CUM CAP SEWER	1,300,000	1,300,000		934,930
POLICE PENSION	449,366	0		0
FIRE PENSION	586,598	0		0
CUM CAP DEVELOPMT	0	0		0
LOCAL ROAD STREET	650,000	0		0
CUM CAP IMPROVMT	150,000	0		0
CONT ED FUND	25,000	0		0
LAW ENF AID FUND	309,500	0		0
AMBULANCE CAPITAL	688,443	0		0
	76,986,907	49,300,000	10,000,000	27,822,920
DEFERRAL FUND	82,195			0
PARKS CAPITAL	0			0
RECORD PERPETUATION	10,000			0
RDVMT FUND BOND	2,754,000	2,754,000		2,123,306
TOTAL	79,833,102	52,054,000	10,000,000	29,946,226
Minus Exempt Levies		3,754,000		
Controlled Levies		48,300,000		

The 2007 established maximum levy limitation for this unit is \$52,054,000 (Compare to Controlled levy box above)

The Property Tax Replacement Tax Credit used to reduce the rate for this unit is \$0.00.

Taxpayers appearing at the hearing on August 31st, 2006, shall have an opportunity to be heard. Pursuant to IC 6-1.1-17-13, after the tax levies have been determined, fixed by the appropriate governing bodies, and the tax rates published by the County Auditor, ten or more taxpayers or one (1) taxpayer that owns property that represents at least ten percent (10%) of the taxable assessed valuation in the political subdivision may initiate an appeal from the county board of tax adjustment's action on a political subdivisions budget notice. The statement shall specifically identify the provisions of the budget and tax levy to which the taxpayers object. The County Auditor shall forward the statement, with the budget, to the Dept of Local Govt Finance.

/S/ Diana L. Cordray, Clerk-Treasurer (NL - 8/18, 8/25 - 4478856)

# B4, The Noblesville Ledger, Friday, August 18, 2006

Legals	Legals	Legals	Legals	Legals
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**NOTICE TO TAXPAYERS OF BUDGET ESTIMATES AND TAX LEVIES**

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GENERAL	60,000,000	40,000,000	10,000,000	19,977,391
LEASE RENTAL	828,000	1,000,000		974,355
MOTOR VEHICLE	12,000,000	7,000,000		5,936,244
CUM CAP SEWER	1,300,000	1,300,000		934,930
POLICE PENSION	449,366	0		0
FIRE PENSION	586,598	0		0
CUM CAP DEVELOPMT	0	0		0
LOCAL ROAD STREET	650,000	0		0
CUM CAP IMPROVMT	150,000	0		0
CONT ED FUND	25,000	0		0
LAW ENF AID FUND	309,500	0		0
AMBULANCE CAPITAL	688,443	0		0
	76,986,907	49,300,000	10,000,000	27,822,920
DEFERRAL FUND	82,195			0
PARKS CAPITAL	0			0
RECORD PERPETUATION	10,000			0
RDVMT FUND BOND	2,754,000	2,754,000		2,123,306
TOTAL	79,833,102	52,054,000	10,000,000	29,946,226
Minus Exempt Levies		3,754,000		
Controlled Levies		48,300,000		

The 2007 established maximum levy limitation for this unit is \$52,054,000 (Compare to Controlled levy box above)

The Property Tax Replacement Tax Credit used to reduce the rate for this unit is \$0.00.

Taxpayers appearing at the hearing on August 31st, 2006, shall have an opportunity to be heard. Pursuant to IC 6-1.1-17-13, after the tax levies have been determined, fixed by the appropriate governing bodies, and the tax rates published by the County Auditor, ten or more taxpayers or one (1) taxpayer that owns property that represents at least ten percent (10%) of the taxable assessed valuation in the political subdivision may initiate an appeal from the county board of tax adjustment's action on a political subdivisions budget notice. The statement shall specifically identify the provisions of the budget and tax levy to which the taxpayers object. The County Auditor shall forward the statement, with the budget, to the Dept of Local Govt Finance.

(NL - 8/18, 8/25 - 4478856)

**ORDINANCE D-1822-06**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,  
AMENDING CHAPTER 4, ARTICLE 1, DIVISION III, SECTION 4-26(c)(1)  
OF THE CARMEL CITY CODE**

**WHEREAS**, the Common Council has previously enacted a door-to-door vendor ordinance, codified as City Code Section 4-26; and

**WHEREAS**, is in the public interest to now amend City Code Section 4-26(c)(1) to clarify that the permitted hours of door-to-door solicitation apply to non-exempt vendors only.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Carmel, Indiana, as follows:

Section 1: The foregoing Recitals are incorporated herein by this reference.

Section 2: Chapter 4, Article 1, Division III, Section 4-26(c)(1) of the City Code should be and the same is hereby amended to read as follows:

"(c)(1) Door-to-door solicitation by vendors may be conducted between the hours of 10:00 a.m. and 7:00 p.m. local time only."

Section 3. The remaining provisions of City Code Section 4-26 are not affected by the above amendments and remain in full force and effect according to their terms.

Section 4. All prior City ordinances or parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed as of the effective date of this Ordinance.

Section 5. If any portion of this Ordinance is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

**PASSED** by the Common Council of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_ 2006, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL, INDIANA

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Joseph C. Griffiths

\_\_\_\_\_  
Richard L. Sharp, President Pro Tempore

\_\_\_\_\_  
Kevin Kirby

\_\_\_\_\_  
Ronald E. Carter

\_\_\_\_\_  
Brian D. Mayo

\_\_\_\_\_  
Fredrick J. Glaser

\_\_\_\_\_  
Mark Rattermann

ATTEST:

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Presented by me to the Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_ 2006, at \_\_\_\_\_ O'clock, \_\_\_\_\_. M.

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_ 2006, at \_\_\_\_\_ O'clock, \_\_\_\_\_. M.

\_\_\_\_\_  
James Brainard, Mayor

ATTEST:

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Ordinance D-1822-06  
Page Two of Two Pages

**ORDINANCE D-1823-06**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL,  
INDIANA, FIXING SALARIES OF APPOINTED OFFICERS AND EMPLOYEES  
OF THE CITY OF CARMEL, INDIANA, FOR THE YEAR 2007**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CARMEL,  
INDIANA, THAT:

I, James Brainard, Mayor of the City of Carmel, Indiana, as required by Indiana Code 36-4-7-3 and Indiana Code 36-8-3-3, do hereby fix the maximum salaries and pay schedule of appointed officers and employees of the City of Carmel, Indiana, beginning December 16, 2006 and continuing thereafter until December 14, 2007, and request that such salary rates be approved by the Common Council as follows:

**1. POLICE**

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
CHIEF	3617.69
ASSISTANT CHIEF	3093.12
MAJOR	2846.23
LIEUTENANT	2469.69
SERGEANT	2218.69
PATROL OFFICER	1967.65
CRIME SCENE SPECIALIST	2218.69
AUTO MECHANIC I	1842.15
QUARTERMASTER	1842.15
AUTO MECHANIC II	1716.65
OFFICE ADMINISTRATOR	1591.15
SPECIAL INVESTIGATIONS ADMINISTRATOR	1591.15
RECORDS SUPERVISOR	1591.15
ADMINISTRATIVE ASSISTANT I	1474.38
COMMUNITY RESOURCE SPECIALIST	1465.62
PROPERTY/EVIDENCE ROOM CLERK	1465.62
RECORDS CLERK	1426.92
ADMINISTRATIVE ASSISTANT II	1340.12
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

a. For the purpose of ensuring the consistency of retiree pension payments, all First Class Patrol Officers shall receive an identical salary. When an officer is promoted to First Class, his or her salary shall be increased to the level of other First Class Officers, which is the amount that will be certified to the State of Indiana for pension purposes.

b. Designated Field Training Officers shall, at the request of the Chief of Police, be entitled to receive up to four dollars and twenty-five cents (\$4.25) per hour for performing the duties associated with these functions, in addition to all other forms of compensation.

c. Accident Investigators, Certified Instructors and DARE Officers shall, at the request of the Chief of Police, be entitled to receive up to three dollars (\$3.00) per hour for performing the duties associated with these functions, in addition to all other forms of compensation.

d. Police Department employees who meet criteria specified by the Carmel Police Department Rules and Regulations may qualify for the specialty pay specified below, in addition to all other forms of compensation:

INVESTIGATOR (PATROL/DETECTIVE ONLY)	UP TO \$2500.00 PER YEAR
SCHOOL RESOURCE OFFICER	UP TO \$2500.00 PER YEAR
EMERGENCY RESPONSE TEAM	UP TO \$1500.00 PER YEAR
FOREIGN LANGUAGE	UP TO \$1500.00 PER YEAR
FIELD EVIDENCE TECHNICIAN	UP TO \$1000.00 PER YEAR
DRUG RECOGNITION OFFICER	UP TO \$1000.00 PER YEAR
IDACS COORDINATOR	UP TO \$1000.00 PER YEAR

Each Police Department employee shall be entitled to receive only one (1) type of specialty pay at any given time. The employee shall receive the highest specialty pay for which he or she is eligible. All specialty pay shall cease when an employee no longer performs the duties associated with the pay or no longer meets the qualifications for such pay, whether the change results from the decision/action of the City or of the employee.

e. A Master Patrol Officer shall be entitled to receive up to twenty-one hundred dollars (\$2100.00) per year, in addition to all other forms of compensation. A Master Patrol Officer is eligible to receive specialty pay (as designated in Section 3 above).

f. Officers of the Carmel Police Department shall receive a clothing allowance of twelve hundred dollars (\$1200.00) per year, to be divided and paid semi-annually in equal portions. Six hundred dollars (\$600.00) will be included in the second pay in February and in the second pay in August.

g. Police Officers shall be exempted from Social Security as outlined in Carmel City Code Sec. 2-56(d)(6).

## **2. COMMUNICATIONS**

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
DIRECTOR	3355.42
COMMUNICATIONS SYSTEMS TECHNICAL SUPERVISOR	2440.58
OPERATIONS MANAGER	2218.69
COMMUNICATIONS TECHNICIAN I	1888.31
SHIFT SUPERVISOR	1842.15
ASSISTANT SHIFT SUPERVISOR	1716.65
COMMUNICATIONS TECHNICIAN II	1591.15
CONTROL OPERATOR	1591.15
OFFICE ADMINISTRATOR	1591.15
CALL TAKER	1465.62
COMMUNICATIONS TECHNICIAN III	1465.62
ADMINISTRATIVE ASSISTANT II	1340.12
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

a. Communications Department employees who meet criteria specified by the Carmel Clay Communications Center may qualify for the specialty pay specified below, in addition to all other forms of compensation.

TRAINING COORDINATOR	UP TO \$1500.00 PER YEAR
EMERGENCY MEDICAL DISPATCHER	UP TO \$1500.00 PER YEAR
COMPUTER DATA COORDINATOR	UP TO \$1000.00 PER YEAR
IDACS COORDINATOR	UP TO \$1000.00 PER YEAR

Each Communications Department employee shall be entitled to receive only one (1) type of specialty pay at any given time. The employee shall receive the highest specialty pay for which he or she is eligible. All specialty pay shall cease when an employee no longer performs the duties associated with the pay or no longer meets the qualifications for such pay, whether the change results from the decision/action of the City or of the employee.

### 3. FIRE

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
CHIEF	3617.69
ASSISTANT CHIEF	3093.12
BATTALION CHIEF	2720.73
EMS MANAGER	2595.19
FIRE MARSHAL	2595.19
PUBLIC EDUCATION MANAGER	2595.19
SAFETY MANAGER	2595.19
TRAINING MANAGER	2595.19
INVESTIGATIONS MANAGER	2469.69
CAPTAIN	2469.69
LIEUTENANT	2218.69
SENIOR INSPECTOR	2218.69
SURVIVE ALIVE COORDINATOR	2218.69
ENGINEER	2093.19
FIREFIGHTER	1967.65
EXECUTIVE DIVISION MANAGER	2344.19
ACCREDITATION ADMINISTRATOR	2218.69
QUARTERMASTER	1842.15
OFFICE ADMINISTRATOR	1591.15
ADMINISTRATIVE ASSISTANT I	1474.38
ADMINISTRATIVE ASSISTANT II	1426.92
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

a. For the purpose of ensuring the consistency of retiree pension payments, all First Class Firefighters shall receive an identical salary. When a firefighter is promoted to First Class, his or her salary shall be increased to the level of other First Class Firefighters, which is the amount that will be certified to the State of Indiana for pension purposes.

b. A Firefighter shall be entitled an additional one dollar (\$1.00) per hour for each hour he or she is assigned to an ambulance, in addition to all other forms of compensation.

c. A Captain who fills in for a Battalion Chief shall receive three dollars (\$3.00) per hour ride-out pay, and a Firefighter who fills in for an Engineer, Lieutenant or Captain shall receive

two dollars (\$2.00) per hour ride-out pay, in addition to all other forms of compensation. Officers filling in for other officers (except the Battalion Chief) are not eligible for ride-out pay.

d. A Station Captain shall be entitled to receive up to fifteen hundred dollars (\$1500.00) per year, in addition to all other forms of compensation.

e. Fire Department employees who meet criteria specified by the Carmel Fire Department Rules and Regulations may qualify for the specialty pay specified below, in addition to all other forms of compensation:

PARAMEDIC	UP TO \$4000.00 PER YEAR
SHIFT INVESTIGATOR	UP TO \$2000.00 PER YEAR
SHIFT TRAINING OFFICER	UP TO \$2000.00 PER YEAR
MECHANIC	UP TO \$2000.00 PER YEAR
MASTER FIREFIGHTER	UP TO \$2100.00 PER YEAR
HAZARDOUS MATERIALS TEAM	UP TO \$1500.00 PER YEAR
FOREIGN LANGUAGE	UP TO \$1500.00 PER YEAR

Each Fire Department employee shall be entitled to receive only one (1) type of specialty pay at any given time. The employee shall receive the highest specialty pay for which he or she is eligible. All specialty pay shall cease when an employee no longer performs the duties associated with the pay or no longer meets the qualifications for such pay, whether the change results from the decision/action of the City or of the employee.

f. Twenty-four Hour Fire Schedule Pay shall be paid to Fire Department personnel required to work a 24-hour shift, in addition to all other forms of compensation, as specified below (Firefighters hired after January 1, 1999, are not eligible for 24 Hour Fire Schedule Pay):

BATTALION CHIEF	UP TO \$143.00 BI-WEEKLY
CAPTAIN	UP TO \$143.00 BI-WEEKLY
LIEUTENANT	UP TO \$136.00 BI-WEEKLY
ENGINEER	UP TO \$130.00 BI-WEEKLY
FIREFIGHTER	UP TO \$125.00 BI-WEEKLY

#### **4. MAYOR**

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
DIRECTOR OF COMMUNITY RELATIONS	3093.12
PUBLIC POLICY RESEARCH ANALYST	2344.19
MAYOR'S ASSISTANT	1967.65
COMMUNITY RELATIONS SPECIALIST	1716.65
ADMINISTRATIVE ASSISTANT I	1465.62
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

#### **5. BOARD OF PUBLIC WORKS AND SAFETY**

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
ADMINISTRATIVE ASSISTANT I	1465.62
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

**6. LAW**

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
CITY ATTORNEY	3879.92
ASSISTANT CITY ATTORNEY	2846.23
EXECUTIVE/LEGAL SECRETARY	1842.18
ADMINISTRATIVE ASSISTANT I	1465.62
ADMINISTRATIVE ASSISTANT II	1340.12
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

**7. ADMINISTRATION**

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
DIRECTOR	3617.69
DIRECTOR OF INFORMATION SERVICES	3402.42
GIS COORDINATOR	2578.62
DATABASE ADMINISTRATOR	2440.58
APPLICATIONS ADMINISTRATOR	2440.58
NETWORK ADMINISTRATOR	2026.38
NETWORK/APPLICATIONS ANALYST	2026.38
GIS TECHNICIAN I	1888.31
GIS TECHNICIAN II	1591.15
DIRECTOR OF HUMAN RESOURCES	3093.12
RISK MANAGER	1967.65
EMPLOYEE BENEFITS ADMINISTRATOR	1842.15
EMPLOYMENT AND TRAINING COORDINATOR	1842.15
OFFICE ADMINISTRATOR	1591.15
FACILITIES COORDINATOR	1591.15
BUILDING SERVICES WORKER	1340.12
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

**8. COMMUNITY SERVICES**

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
DIRECTOR	3617.69
BUILDING COMMISSIONER	2595.19
ASSISTANT BUILDING COMMISSIONER	2218.69
PLANNER I	2218.69
CODE ENFORCEMENT OFFICER	2093.19
TRANSPORTATION SYSTEMS ADMINISTRATOR	2093.19
BUILDING INSPECTOR/PLANS EXAMINER	1967.65
PLANNER II	1967.65
ENVIRONMENTAL PLANNER	1967.65
CODE ENFORCEMENT INSPECTOR	1842.15
URBAN FORESTER	1716.65
OFFICE ADMINISTRATOR	1591.15
ADMINISTRATIVE ASSISTANT I	1474.38
ADMINISTRATIVE ASSISTANT II	1342.96
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

1 **9. ENGINEERING**

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<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
CITY ENGINEER	3617.69
ASSISTANT CITY ENGINEER	2595.19
STAFF ENGINEER	2344.19
CONSTRUCTION MANAGER	2344.19
ENGINEERING ADMINISTRATOR	2093.19
STORM WATER ADMINISTRATOR	2093.19
PLAN REVIEW COORDINATOR	1967.65
CONSTRUCTION INSPECTOR	1967.65
RIGHT-OF-WAY INSPECTOR	1967.65
PUBLIC WORKS COORDINATOR	1716.65
OFFICE ADMINISTRATOR	1591.15
ADMINISTRATIVE ASSISTANT I	1465.62
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

5

6 **10. STREET**

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9

<u>CLASSIFICATION</u>	<u>MAXIMUM BI-WEEKLY SALARY</u>
STREET COMMISSIONER	3355.42
OPERATIONS MANAGER	2469.69
STREETS FOREMAN	1967.65
GROUNDS FOREMAN	1967.65
OFFICE ADMINISTRATOR	1591.15
SKILLED LABORER	1465.62
ADMINISTRATIVE ASSISTANT I	1465.62
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

10

11 **11. UTILITIES**

12

DIRECTOR	3617.69
WATER/SEWER OPERATIONS MANAGER	2720.73
WATER QUALITY MANAGER	2469.69
WATER/SEWER PLANT MANAGER	2469.69
DISTRIBUTION/COLLECTION SYSTEM MANAGER	2469.69
ELECTRICAL/CONTROLS ENGINEER	2440.58
ELECTRONIC TECHNICIAN SUPERVISOR	2440.58
CUSTOMER SERVICE MANAGER	2344.19
ACCOUNTING SUPERVISOR	2218.69
WATER/SEWER SUPERVISOR	2218.69
MAINTENANCE/ELECTRONICS FOREMAN	2164.42
CUSTOMER SERVICE SUPERVISOR	2093.19
ELECTRONIC TECHNICIAN	2026.38
WATER/SEWER FOREMAN	1967.65
METERED/FIELD SUPPORT SERVICES COORDINATOR	1967.65
FINANCIAL PROGRAM OFFICER	1967.65
GIS TECHNICIAN I	1888.31
SHIFT SUPERVISOR	1842.15
SENIOR PLANT OPERATOR	1842.15
AUTO MECHANIC I	1842.15

MECHANIC I/BIOSOLIDS COORDINATOR	1716.65
WATER/SEWER PLANT OPERATOR	1716.65
DISTRIBUTION/COLLECTION SYSTEM OPERATOR	1716.65
AUTO MECHANIC II	1716.65
HOUSEHOLD HAZARDOUS WASTE COORDINATOR	1716.65
ACCOUNTANT	1716.65
LABORATORY TECHNICIAN	1591.15
METERED SERVICES COORDINATOR	1591.15
MECHANIC I	1591.15
LIFT STATION TECHNICIAN	1591.15
OFFICE ADMINISTRATOR	1591.15
ACCOUNTING TECHNICIAN	1591.15
GIS TECHNICIAN II	1591.15
MECHANIC II	1496.27
SKILLED LABORER	1465.62
ADMINISTRATIVE ASSISTANT I	1465.62
GENERAL LABORER	1340.12
METER READER	1340.12
ADMINISTRATIVE ASSISTANT II	1340.12
PART-TIME/TEMPORARY	UP TO \$18.00 PER HOUR

a. A Utilities employee who is assigned primary on-call duties between the hours of 4:30 PM and 8:00 AM, and other times when the department is not fully staffed, is eligible for on-call pay at a flat rate of ten dollars (\$10.00) per day for regular weekdays and twenty-five dollars (\$25.00) per day for Saturday, Sunday and City holidays, in addition to all other forms of compensation. Eligibility for on-call pay shall be determined by the department's on-call policy.

## 12. GENERAL PROVISIONS

a. All base salaries paid by the City of Carmel to its employees shall conform to the general guidelines established for the grade and step compensation system implemented January 1, 1999 and revised effective January 1, 2006. The figures listed in the salary ordinance are maximums, and do not necessarily represent an incumbent's actual salary.

b. All full-time employees shall receive two hundred dollars (\$200.00) per year longevity pay for the first ten years of service and two hundred sixty dollars (\$260.00) per year for years eleven through twenty-five, in addition to all other forms of compensation. Longevity pay terms and conditions shall conform to the City's current longevity ordinance as adopted by the Carmel Common Council.

c. All employees whose regularly assigned shift begins between the hours of 2:00 PM and 11:00 PM shall be entitled to receive shift differential pay of one dollar (\$1.00) per hour for each hour worked, in addition to all other forms of compensation.

d. Each full-time, part-time or temporary employee who is required to report to work on a declared holiday, whether on a scheduled or an unscheduled basis, shall receive thirteen dollars (\$13.00) per hour premium pay for each hour actually worked on the holiday. Such premium pay shall be calculated to the nearest quarter hour.

e. Each full-time civilian employee who demonstrates fluency in a foreign language that will benefit his or her department shall receive an additional fifteen hundred dollars (\$1,500.00) per year, in addition to all other forms of compensation. Languages that qualify for this pay shall

1 be determined by each department director. Testing for fluency shall be coordinated by the  
2 Director of Human Resources.

3  
4 f. All full-time and part-time employees shall be paid only by the department of hire, and  
5 only from the appropriate budget line.

6  
7 g. Overtime compensation for full-time, part-time and temporary employees shall be in  
8 addition to the amounts specified above, and shall be paid in compliance with the federal Fair  
9 Labor Standards Act and the City of Carmel's most current compensation ordinance as adopted  
10 by the Carmel Common Council.

11  
12 h. The regular hourly and overtime rate of pay shall be determined as follows:

13  
14 i) The hourly rate of pay of all City employees shall be calculated based upon the  
15 number of hours the employee is scheduled to work in a regular work period.

16  
17 ii) The formula for calculating the hourly rate of pay shall be: (bi-weekly base pay +  
18 longevity pay + shift differential pay + 24 hour fire schedule pay + specialty pay)/ hours the  
19 employee is scheduled to work in a regular work period.

20  
21 iii) Scheduled hours are as follows:

22  
23 ☐ For all civilians and for firefighters in administrative positions, the scheduled  
24 hours shall be 37.5 in a 7-day work period (75 hours bi-weekly).

25  
26 ☐ For all police officers, the scheduled hours shall be 160 in a 28 day work  
27 period (80 hours bi-weekly).

28  
29 ☐ For firefighters who work a 24 hour shift, the scheduled hours shall be an  
30 average of 224 hours in a 28 day work period (112 hours bi-weekly).

31  
32 iv) The formula for calculating the overtime rate of pay shall be:

33  
34 ☐ For Fire Department non-exempt shift employees, hourly rate of pay (as  
35 determined by formula in Section 21.b above) x 0.5 for scheduled overtime  
36 from 212-224 hours, and hourly rate x 1.5 for scheduled overtime in excess  
37 of 224 hours and for all emergency call-outs, end-of-shift runs and work-  
38 related court appearances.

39  
40 ☐ For all other non-exempt City employees, hourly rate of pay (as determined  
41 by formula in Section 21.b above) x 1.5.

42  
43 i. Compensation for Meetings

44  
45 i) Appointed members of the Plan Commission, Board of Zoning Appeals and Cable  
46 TV Advisory Committee shall be paid the sum of seventy-five dollars (\$75.00) for each  
47 regularly scheduled meeting attended. Appointed members of the Plan Commission shall  
48 receive an additional seventy-five dollars (\$75.00) for each standing sub-committee meeting  
49 attended.

50  
51 ii) Exempt employees of the Department of Community Services shall be entitled to  
52 receive a stipend of seventy-five dollars (\$75.00) per meeting, in addition to their regular  
53 compensation, for attending each regular or special meeting of the Plan Commission or Board

1 of Zoning Appeals, or their respective committees or task forces, if such meetings are held  
2 outside the regular working hours of 8:00 a.m. to 5:00 p.m. Meeting stipends shall be paid  
3 from the budgets of the Plan Commission and the Board of Zoning Appeals, as applicable.  
4

5 For all other meetings that occur outside regular working hours, and that cause the  
6 aforementioned exempt employees to work in excess of 40 hours per week, the employees  
7 shall be eligible for compensatory time off only, as outlined in the City's overtime policy.  
8 Under no circumstances shall an exempt employee of the Department of Community Services  
9 be entitled to receive both a meeting stipend and compensatory time off for attending the  
10 same meeting.  
11

12 Non-exempt employees of the Department of Community Services shall be entitled to  
13 overtime compensation for attending regular or special meetings of the Plan Commission or  
14 Board of Zoning Appeals, or their respective committees or task forces, if such meetings  
15 cause them to work in excess of 37.5 hours per week.  
16

17 j. Appointed members of the Board of Public Works and Safety shall be paid a salary of  
18 five thousand sixty-five dollars (\$5,065.00) per year.  
19  
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22

23 **PASSED** by the Common Council of the City of Carmel, Indiana this  
24 \_\_\_\_\_ day of \_\_\_\_\_ 2006, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_  
25 nays.  
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**COMMON COUNCIL FOR THE CITY OF CARMEL**

Presiding Officer

Joseph C. Griffiths

Richard L. Sharp, President Pro Tempore

Kevin Kirby

Ronald E. Carter

Brian D. Mayo

Fredrick J. Glaser

Mark Rattermann

ATTEST:

Diana L. Cordray, IAMC, Clerk-Treasurer

Presented by me to the Mayor of the City of Carmel, Indiana this \_\_\_\_ day of \_\_\_\_\_  
2006, at \_\_\_\_\_.M.

Diana L. Cordray, IAMC, Clerk-Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_  
2006, at \_\_\_\_\_ M.

James Brainard, Mayor

ATTEST:

Diana L. Cordray, IAMC, Clerk-Treasurer

**Prepared by:** Barbara A. Lamb  
Director of Human Resources

SPONSOR: Councilor Glaser

**ORDINANCE D-1826-06**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY  
OF CARMEL, INDIANA, FIXING SALARIES OF APPOINTED  
OFFICERS AND EMPLOYEES OF THE CLERK-TREASURER,  
CITY OF CARMEL, INDIANA, FOR THE YEAR 2007**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
CARMEL, INDIANA, THAT:

I, the undersigned, Diana L. Cordray, Clerk-Treasurer of the City of Carmel, Indiana, as required by Indiana Code IC 36-4-7-3(d) and IC 36-4-10-7(b) hereby request the maximum salaries and pay schedule of appointed officers and employees of the City of Carmel Clerk-Treasurer, be established beginning December 16, 2006, and continuing until December 14, 2007, and that such salary rates be approved by the Common Council as follows:

<u>DEPARTMENT &amp; POSITION</u>	<u>UP TO A MAXIMUM BI-WEEKLY SALARY</u>
<b><u>CLERK-TREASURER</u></b>	
DEPUTY CLERK/FINANCIAL MANAGER	2023.38
DEPUTY CLERK/PAYROLL ADMINISTRATOR	1716.65
DEPUTY CLERK/ASSET MANAGER	1716.65
DEPUTY CLERK/DOCUMENT FACILITATOR	1591.15
DEPUTY CLERK/ADMINISTRATIVE ASSISTANT	1340.12
PART-TIME/TEMPORARY	UP TO 18.00 PER HOUR

**Section 1.** All full-time employees of the Clerk-Treasurer's Office shall receive \$200.00 per year longevity pay for the first ten years of service and \$260.00 per year for years eleven through twenty-five, in addition to all other forms of compensation. Longevity pay terms and conditions shall conform to the City's current longevity ordinance as adopted by the Carmel Common Council.

**Section 2.** Each employee of the Clerk-Treasurer's office, who is required to work on declared holiday, whether on a scheduled or unscheduled basis, shall receive thirteen dollars (\$13.00) per hour premium pay for each hour actually worked on the holiday. Such premium shall be calculated to the nearest quarter hour.

PASSED by the Common Council of the City of Carmel, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

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4 **COMMON COUNCIL FOR THE CITY OF CARMEL**  
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8 \_\_\_\_\_  
9 Presiding Officer

\_\_\_\_\_ Joseph C. Griffiths

10 \_\_\_\_\_  
11 Richard L. Sharp, President Pro Tempore

\_\_\_\_\_ Kevin Kirby

12 \_\_\_\_\_  
13 Ronald E. Carter

\_\_\_\_\_ Brian D. Mayo

14 \_\_\_\_\_  
15 Fredrick J. Glaser

\_\_\_\_\_ Mark Rattermann

16  
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18  
19 ATTEST:  
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21  
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23 \_\_\_\_\_  
24 Diana L. Cordray, IAMC, Clerk-Treasurer  
25

26 Presented by me to the Mayor of the City of Carmel, Indiana this \_\_\_\_ day of  
27 \_\_\_\_\_ 2006, at \_\_\_\_\_ .M.  
28  
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31 \_\_\_\_\_  
32 Diana L. Cordray, IAMC, Clerk-Treasurer  
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34

35 Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of  
36 \_\_\_\_\_ 2006, at \_\_\_\_\_ .M.  
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40 \_\_\_\_\_  
41 James Brainard, Mayor  
42

43 ATTEST:  
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46 \_\_\_\_\_  
47 Diana L. Cordray, IAMC, Clerk-Treasurer

48 Prepared by: Diana L. Cordray  
49 Clerk-Treasurer  
50 City of Carmel

**ORDINANCE D-1827-06****AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY  
OF CARMEL, INDIANA, FIXING SALARIES OF APPOINTED OFFICERS  
AND EMPLOYEES OF THE CARMEL CITY COURT FOR THE YEAR 2007**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CARMEL,  
INDIANA, THAT:

As required by the Indiana Code, it is requested that the maximum salaries and pay schedule of appointed officers and employees of the Carmel City Court, Carmel, Indiana be established beginning December 16, 2006 and continuing thereafter until December 14, 2007 and request that such salary rates be approved by the Common Council as follows:

<b><u>DEPARTMENT &amp; POSITION</u></b>	<b>UP TO A MAXIMUM BI-WEEKLY SALARY</b>
<b>CITY COURT</b>	
CLERK OF COURT/ADMINISTRATOR	\$1,967.65
ASST. COURT CLERK/ADMINISTRATOR	\$1,716.65
DEPUTY CLERK/COURT REPORTER	\$1,591.15
DEPUTY CLERK I	\$1,465.62
DEPUTY CLERK II	\$1,340.12
PART-TIME BAILIFF	UP TO \$16.66 PER HOUR
ASSISTANT PART-TIME CLERK	UP TO \$15.00 PER HOUR
SUMMER INTERNS	MINIMUM HOURLY WAGE

**Section 1.** Full-time employees of the city Court shall receive \$200.00 per year longevity pay for the first ten years of service and \$260.00 per year for years eleven through twenty-five, in addition to all other forms of compensation. Terms and conditions of longevity pay shall conform to the City's most current regulations as adopted by the Carmel City Council.

**Section 2.** Except as otherwise specifically provided herein, part-time and temporary employees, as distinguished from those in the full-time employ of the City of Carmel, shall be paid only by the department of hire and only from the part-time/temporary line item as set forth in this section.

**Section 3.** Each Court employee who is required to work on a declared holiday, whether on a scheduled basis or unscheduled basis, shall receive thirteen dollars (\$13.00) per hour premium pay for each hour actually worked on the holiday. Such premium shall be calculated to the nearest quarter hour.

**PASSED** by the Common Council of the City of Carmel, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL

Presiding Officer

Joseph C. Griffiths

Richard L. Sharp, President Pro Tempore

Kevin Kirby

Ronald E. Carter

Brian D. Mayo

Fredrick J. Glaser

Mark Rattermann

ATTEST:

Diana L. Cordray, IAMC, Clerk-Treasurer

Presented by me to the Mayor of the City of Carmel, Indiana this \_\_\_\_ day of  
\_\_\_\_ 2006, at \_\_\_\_\_.M.

Diana L. Cordray, IAMC, Clerk-Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of  
\_\_\_\_ 2006, at \_\_\_\_\_.M.

James Brainard, Mayor

ATTEST:

Diana L. Cordray, IAMC, Clerk-Treasurer

Prepared by: Carmel City Court  
City of Carmel

**RESOLUTION CC-08-31-06-01**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,  
TO SET THE 2007 GENERAL FUND TAX LEVY AND RATE**

**WHEREAS**, the Department of Local Government Finance of the State of Indiana shall set for the City of Carmel, Indiana ("City"), the total City tax rate for taxes payable in the year 2007; and

**WHEREAS**, the Common Council desires to adjust the General Fund property tax levy to allow the Department of Local Government Finance to establish a specific total tax rate for funds under the City's control; and

**WHEREAS**, the Common Council desires to levy for the Motor Vehicle Highway Fund only the amount needed to fund appropriations, leaving no operating balance in that fund; and

**WHEREAS**, the Common Council desires to reserve, as much as possible, its future authority to levy taxes for general purposes; and

**WHEREAS**, the Common Council desires to protect homeowners from a shift in tax burden that could result from the elimination of business inventory from the tax base; and

**WHEREAS**, the Common council desires to reduce the tax rate to protect taxpayers from the first-time impact on assessed value of the initial use of indexing, or "trending," the impact of which is estimated to be no less than five percent (5%); and

**WHEREAS**, the Common Council desires to preserve for homeowners the full benefit of an increase of Ten Thousand Dollars (\$10,000.00) in the standard assessed value deduction, otherwise known as the homestead deduction.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Carmel, Hamilton County, Indiana:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. The Department of Local Government Finance is respectfully requested to set the total year 2007 City tax rate, for all City funds at exactly \$0.5018 per \$100 of assessed value.

Section 3. The Department of Local Government Finance is respectfully requested to set the year 2007 property tax levy of the Motor Vehicle Highway Fund at a level no greater than the amount needed to fund appropriations, with no operating balance.

Section 4. The Department of Local Government Finance is respectfully requested to reduce, as necessary, the 2007 General Fund property tax levy to a level which will result in the total City tax rate stated in Section 2.

Section 5. The Department of Local Government Finance is respectfully requested to further reduce the rate, as directed by the Mayor of the City of Carmel, Indiana, if the Mayor finds that a further reduction is necessary to offset the impact of indexing or “trending.”

**SO RESOLVED** by the Common Council of the City of Carmel, Hamilton County, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

**COMMON COUNCIL FOR THE CITY OF CARMEL, INDIANA**

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Joseph C. Griffiths

\_\_\_\_\_  
Richard L. Sharp, President Pro Tempore

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Kevin Kirby

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Ronald E. Carter

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Brian D. Mayo

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Fredrick J. Glaser

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Mark Rattermann

ATTEST:

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Presented by me to the Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_ 2006,  
at \_\_\_\_\_ O'clock, \_\_\_\_\_. M.

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_  
2006, at \_\_\_\_\_ O'clock, \_\_\_\_\_. M.

\_\_\_\_\_  
James Brainard, Mayor

ATTEST:

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Council Resolution No. CC-08-31-06-01  
Page Two of Two Pages

**RESOLUTION CC-08-31-06-03**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,  
DETERMINING THAT NO TIF TAX SHALL BE LEVIED PURSUANT TO INDIANA CODE  
6-1.1-21.2-12 FOR CALENDAR YEAR 2007**

**WHEREAS**, Indiana law allows for the imposition of a tax increment replacement tax on property located within the City pursuant to Indiana Code 6-1.1-21.2 (the “TIF Tax”); and

**WHEREAS**, pursuant to Indiana Code 6-1.1-21.2-12, the Common Council is authorized to reduce or eliminate a TIF Tax levied on property located within the City’s jurisdiction; and

**WHEREAS**, the Common Council has determined that any 2007 TIF Tax will be unduly burdensome on Carmel taxpayers, and therefore should not be levied.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Carmel, Indiana, as follows:

Section 1: The foregoing Recitals are incorporated herein by this reference.

Section 2: No TIF Tax shall be levied pursuant to Indiana Code 6-1.1-21.2 for calendar year 2007.

Section 3: The Carmel Redevelopment Commission shall report to the Department of Local Government Finance that the City of Carmel has determined not to levy the TIF Tax on property located within any allocation area subject to the City’s jurisdiction for calendar year 2007.

COMMON COUNCIL FOR THE CITY OF CARMEL, INDIANA

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Joseph C. Griffiths

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Richard L. Sharp, President Pro Tempore

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Kevin Kirby

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Ronald E. Carter

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Brian D. Mayo

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Fredrick J. Glaser

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Mark Rattermann

ATTEST:

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Page One of Two Pages

The initial draft of this document was prepared by Douglas C. Haney, Carmel City Attorney, on August 18, 2006. Any changes thereafter made to this document are the sole responsibility of the document sponsor.

SPONSOR: Councilor Richard L. Sharp

Presented by me to the Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_ 2006,  
at \_\_\_\_\_ O'clock, \_\_\_\_\_. M.

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_  
2006, at \_\_\_\_\_ O'clock, \_\_\_\_\_. M.

\_\_\_\_\_  
James Brainard, Mayor

**ATTEST:**

\_\_\_\_\_  
Diana L. Cordray, IAMC, Clerk-Treasurer

Council Resolution CC-08-31-06-03  
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